



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 6

**1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733**

October 1, 2012

Angel Martinez, Jr.
Rio Puerco Field Office
435 Montañño Road NE
Albuquerque, NM 87107

Mr. Martinez,

In accordance with our responsibilities under Section 309 of the Clean Air Act (CAA), the National Environmental Policy Act (NEPA), and the Council on Environmental Quality (CEQ) regulations for implementing NEPA, the U.S. Environmental Protection Agency (EPA) Region 6 office in Dallas, Texas, has completed its review of the Draft Environmental Impact Statement (DEIS) prepared by the Bureau of Land Management (BLM). The BLM is updating the Rio Puerco Resource Management Plan (RMP) to incorporate new data and policies that will guide public land management decisions for 800,000 surface acres, and 3 million sub-surface acres under jurisdiction of the Rio Puerco Field Office.

EPA rates the DEIS as "EC-1" i.e., EPA has "environmental concerns and requests clarifying information" in the Final EIS. The EPA's Rating System Criteria can be found here: <http://www.epa.gov/oecaerth/nepa/comments/ratings.html>. Detailed comments are enclosed with this letter which clearly identifies our concerns and the informational needs requested for incorporation into the Final EIS (FEIS). Responses to comments should be placed in a dedicated section of the FEIS and should include the specific location where the revision, if any, was made. If no revision was made, a clear explanation should be included.

EPA appreciates the opportunity to review the DEIS. Please send our office two copies of the FEIS, and an internet link, when it is sent to the Office of Federal Activities, EPA (Mail Code 2252A), Ariel Rios Federal Building, 1200 Pennsylvania Ave, N.W., Washington, D.C. 20004. Our classification will be published on the EPA website, www.epa.gov, according to our responsibility under Section 309 of the CAA to inform the public of our views on the proposed Federal action. Beginning October 1, 2012, you must file your EIS using EPA's *e-NEPA Electronic Filing* at <http://www.epa.gov/compliance/nepa/submiteis/index.html>. If you have any questions or concerns, please contact Keith Hayden of my staff at hayden.keith@epa.gov or 214-665-2133 for assistance.

Sincerely,

A handwritten signature in blue ink, which appears to read "Rhonda Smith", is written over a horizontal line.

Rhonda Smith
Chief, Office of Planning
and Coordination

Enclosure

**DETAILED COMMENTS ON THE
BUREAU OF LAND MANAGEMENT
DRAFT ENVIRONMENTAL IMPACT STATEMENT
FOR THE
RIO PUERCO DRAFT RESOURCE MANAGEMENT PLAN AND ENVIRONMENTAL
IMPACT STATEMENT
RIO PUERCO FIELD OFFICE
ALBUQUERQUE, NEW MEXICO**

BACKGROUND: The Resource Management Plan (RMP) and Draft Environmental Impact Statement (DEIS) analyzes alternatives for the planning and management of public lands administered by the Rio Puerco Field Office (RPFO). The RPFO spans six counties in central New Mexico and includes approximately 800,000 acres of surface estate and 3.6 million acres of subsurface mineral estate. The RMP is being revised to incorporate new data and policies, emerging issues, and changing circumstances that have occurred in the last 25 years since the RMP was last revised.

DETAILED COMMENTS

2.0 PROPOSED ALTERNATIVES

2.2.14.4, Page 2-80

The DEIS indicates that under Alternative C, measures to protect sensitive resources would be implemented, but they would be less restrictive than proposed management decisions under Alternative B. For example, under Alternative C, prescribed livestock grazing would be applied on BLM lands in the Planning Area, including special designations where protected resource values would be compatible with livestock grazing.

Recommendation:

- The DEIS does not provide sufficient information to fully evaluate the risk or the level of protection from surface disturbing activities and livestock grazing under Alternative C for riparian and wetland habitats. The BLM should clarify Alternative C as to what “restrictions” could be imposed and what would trigger their implementation. Please define the specific protective measures or actions being referred to in the “Riparian Site Standards of New Mexico Standards and Guidelines” (BLM 2001) and specific adaptive management techniques in the “EIS for Riparian and Aquatic Habitat Management in the Albuquerque Field Office” (BLM 2000).

4.0 ENVIRONMENTAL CONSEQUENCES

4.2.9.1.1 - Vegetation Management Decisions, Page 4-184

Pages 182-184 list the beneficial impacts, and the short term and long term adverse impacts associated with removing vegetation on highly erodible soils. The most protective alternative would not allow any forest removal on highly erodible soils, and the preferred alternative would allow approximately 426,000 acres of forest removal. Based on the information presented in Section 4.2.9.1.1; it is not possible to determine if there are any beneficial or adverse impacts achieved from designating the forest product removal areas.

Recommendation:

- Please offer specific information detailing how forest product removal on highly erodible soils will be managed. The discussion should include methods of removal or treatment processes to be used, potential mitigation techniques to negate the adverse effects of removal, and acreages to be removed.

5.0 CONSULTATION AND COORDINATION

Recommendation:

- Please include all comments received from consultation with Agencies, Organizations, Tribal Governments, and Persons contacted in the FEIS.

GENERAL COMMENTS

Many areas of the RMP and DEIS mention mitigation, controlled surface use (CSU), or the use of "restrictions", to offset potential adverse effects. Without offering specific examples or definitions of these terms it is not possible to determine what the environmental effect of the resource management actions will be.

Recommendation:

- Please offer specific examples in cases where mitigation, CSU, or restrictions will be used to offset adverse environmental effects.